



David B. Cohen
Mayor

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Public Hearing Date:	June 15, 2004
Land Use Action Date:	To be scheduled
Board of Aldermen Action Date:	August 9, 2004
90-Day Expiration Date:	September 13, 2004

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Nancy Radzevich, Chief Planner
Alexandra Ananth, Planner

SUBJECT: Petition #235-04 of JOHN D. FREEDMAN & LISA M. COHEN for SPECIAL PERMIT/SITE PLAN APPROVAL for a detached garage in excess of 700 square feet and for a change of grade in excess of 3 ft. at 144 BALDPATE HILL ROAD, Ward 8, NEWTON CENTRE, on land known as Sec 82, Blk 26, Lot 8, containing approx. 25,910 sf of land in a district zoned SINGLE RESIDENCE 1.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

I. **ELEMENTS OF THE PETITION**

The subject property is located at 144 Baldpate Hill Road, in Oak Hill, and consists of a 25,910-sq. ft. lot. An approximately 2,800-sq. ft, 2-story, single-family dwelling with attached 2-car garage is currently located on the site. The petitioners seek to convert their existing 2-car garage into a mudroom and exercise room and to construct a new 996 sq. ft. detached garage with roofed patio above, and connected to the house by an underground hallway.

The City's Chief Zoning Code Official has completed his review of this application for special permit. A copy of his memorandum, dated June 4, 2004, is attached to this document. He notes that though the petitioners have also requested relief from Section 30-5(b)(4) for a grade change in excess of 3 ft, the Commissioner of Inspectional Services has determined that such relief is not required (*SEE ATTACHMENT "A"*).

II. **ZONING RELIEF BEING SOUGHT**

The petitioners are seeking relief from or approvals through Section 30-8(b)(7) of the City's Zoning Ordinance - to allow for a private garage of more than 700 sq. ft. The garage as proposed would be 996 sq. ft;

III. **SIGNIFICANT ISSUES FOR CONSIDERATION**

In reviewing this petition, the Board should consider the following:

- *Whether this site is appropriate for a garage greater than 700 sq. ft; and*
- *Whether the 996-sq. ft. garage would have any adverse affects on the abutters and/or the character of the surrounding neighborhood.*

IV. **CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD**

A. **Site**

The subject property is located at 144 Baldpate Hill Road, in Oak Hill, and consists of a 25,910-sq. ft. triangular shaped lot of land. The site is improved with a 2-story brick single-family garrison-colonial style house with an in-ground pool in the back. The house currently has a 2-car garage within the existing basement that the petitioners intend to convert into a mudroom and home gym. There is a circular driveway leading to the house with two sets of curbcuts onto Baldpate Hill Road.



144 Baldpate Hill Rd

B. Neighborhood

The subject property is located on Baldpate Hill Road, in Oak Park, within a neighborhood zoned Single Residence 1. The surrounding neighborhood is comprised of single-family residences, most of which were constructed in the 1950s.

The neighboring property immediately east of the subject site, 40 Baldpate Hill Rd, consists of a large 107,338 sq. ft. lot, and the residence is set back in the middle of the lot, approximately 250 ft. from the proposed accessory structure. A 4-ft. chain link fence separates the two properties. Abutters immediately south of the subject property are approximately 150 ft. from the proposed accessory structure.

The majority of residences in the neighborhood have attached garages, though some residences have detached garages.

V. ANALYSIS

A. Technical Considerations

The following table compares the proposed garage to the technical requirements for an accessory structure in a Single Residence 1 District:

Single Residence 1	Required Garage/Accessory Structure	144 Baldpate Hill Rd Proposed Garage/Accessory Structure
Minimum lot size	25,000 sq. ft.	25,910 sq. ft.
Frontage	140 ft.	169 ft.
Setbacks		
Front	40 ft.	~49 ft.
Side	5 ft.	6 ft.
Rear	5 ft.	NA
Building height	18 ft.	18 ft.
Max. # of stories	1½-stories	1 story
Max. floor area (garage)	700 sq. ft.	996 sq. ft.
# of Parking Stalls required	2 stalls	3 stall

As shown in the table above the proposed accessory structure will conform to all setback requirements. The site is a triangular shaped lot and there is no rear setback, side yard setback controls are applied. The petitioners are seeking a special permit for a garage with more than 700 sq. ft. of floor area.

B. Land Use

The surrounding land uses to the subject property are all single-family dwellings. The petitioners are proposing to use the new accessory structure as a 3-car garage with room

for storage, and a patio above. The proposed accessory structure should not have any impact on the use of the site. Although the garage is large, it does not appear to be out of scale with the existing residence or the site.

C. Building and/or Site Design

As previously stated the petitioners are seeking to construct a 996-sq. ft. detached garage with storage and parking for three cars. The proposed garage will have a both an open and covered roof patio above. The proposed garage and patios will have a fieldstone veneer exterior and will be built into the existing landscape. The covered portion of the patio will include stone veneer columns, cast stone balustrades and an asphalt shingle roof to match the existing house. The open patio will be capped with a 42-in. wall with a cast stone cap. Though the proposed garage is a detached structure the garage will be linked to the basement of the house by an underground-connecting hallway.

The petitioners are also proposing a number of other site improvements for which they do not need a special permit including creating a new blue stone entry stairwell and landing, re-paving the driveway, adding new stone retailing walls, and a new brick walkway that will lead from the proposed covered patio to the existing in-ground pool.

As stated earlier, although the proposed garage is large, it will be built into the existing topography and set back approximately 150 ft. from the closest abutting residence across the street. As such the visual impacts of the structure should be minimal.

The Chief Zoning Code Official notes in his memorandum that the circular driveway narrows to 10 ft. in width at the entry to the main house. This does not meet the requirements pursuant to Section 30-19(g)(3), which states the entrance and exit drives shall be a minimum of 12 ft. wide. Prior to the Working Session the petitioners should submit revised site plans to correct this deficiency.

D. Landscaping

The petitioners submitted a well developed landscape plan including new trees, shrubs, and groundcover. It does not appear that the petitioners are removing any significant trees.

E. Department/Commission Reviews

As of the writing of this memorandum, the Planning Department has not received a review from the Acting City Engineer; however, he is expected to complete his prior to the public hearing.

F. Relevant Site Plan Approval Criteria

1. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties or improvements, including regulation of the number, design and location of access driveways and the

location and design of handicapped parking. The sharing of access driveways by adjoining sites is to be encouraged wherever feasible

The petitioners will be maintaining their circular driveway, which should allow drivers to exit the site in a forward direction. As such, the construction of this three-car garage of more than 700-sq. ft. should have no impacts on vehicular or pedestrian safety on-site or in relation to the adjacent streets.

The Chief Zoning Code Official notes in his memorandum that the circular driveway narrows to 10 ft. in width at the entry to the main house. *Prior to the Working Session the petitioners should submit revised site plans showing a minimum driveway width of 12 ft.*

2. Adequacy of the methods for disposal of sewage, refuse and other wastes and of the methods of regulating surface water drainage

The Acting City Engineer is expected to address this item in his review memorandum, which will be submitted under separate cover.

3. Screening of parking areas and structure(s) on the site from adjoining premises or from the street by walls, fences, plantings or other means. Location of parking between the street and existing or proposed structures shall be discouraged

The proposed accessory structure is set back from Baldpate Hill Road almost 50 ft. The structure is built into the existing topography and the majority of the structure will be below grade. Though the proposed roof patio will be visible from the street, it is set back far enough that it should not negatively impact adjoining residences.

4. Avoidance of major topographical changes; tree and soil removal shall be minimized and any topographic changes shall be in keeping with the appearance of neighboring developed areas

Though the petitioners are proposing to reduce the slope of the driveway, it does not appear that any significant trees will be removed as part of this project. Any concerns related to the change in topography should be addressed by the Acting City Engineer's review.

5. Consideration of site design, including the location and configuration of structures and the relationship of the site's structures to nearby structures in terms of major design elements including scale, materials, color, roof and cornice lines

Although the garage is large, the structure will be built into the existing topography of the site and is set back approximately 150 ft. from the closest abutting residence. The proposed garage and retaining walls will be stone faced and should blend in well with the existing brick house. The proposed roof of the covered patio will also echo the materials and pitch of the existing residence.

H. Relevant Special Permit Criteria

6. The specific site is an appropriate location for such use, structure

Given the topography and size of the lot, and the size of the overall residence, the proposed 996-sq. ft. garage appears to be appropriately scaled for this particular site. The petitioners have indicated that the garage will be used to park their three cars and to allow for a storage area; these uses are appropriate uses for this location and structure.

7. The use as developed and operated will not adversely affect the neighborhood.

As long as drainage is controlled on site, the construction of the 996-sq. ft. garage and changes in the topography should not adversely affect the neighborhood.

VI. SUMMARY

The subject property is located at 144 Baldpate Hill Road, in Oak Hill, and consists of a 25,910-sq. ft. lot. An approximately 2,800-sq. ft, 2-story, single-family dwelling with attached 2-car garage is currently located on the site. The petitioners seek to convert their existing 2-car garage into a mudroom and exercise room and to construct a new 996 sq. ft. detached garage with roofed patio above, and connected to the house by an underground hallway.

The proposed accessory structure is set back from Baldpate Hill Road almost 50 ft. The structure is built into the existing topography and the majority of the structure will be below grade. Though the proposed roof patios will be visible from the street it is set back far enough that it should not negatively impact adjoining residences.

Prior to the Working Session:

1. ***The petitioners should submit revised site plans showing a minimum driveway width of 12 ft; and***
2. ***The petitioners should respond to all issues raised by the Acting City Engineer, and the Chief Zoning Code Official.***